UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| MONICA & MATTHEW DAWKINS, | § | |
|-----------------------------|----------|--------------------------------|
| Plaintiffs, | § | |
| | § | |
| | § | CIVIL ACTION NO. 4:24-CV-00639 |
| v. | § | |
| | § | |
| | § | |
| ALLSTATE VEHICLE & PROPERTY | § | |
| INSURANCE COMPANY, | § | |
| Defendants. | § | |

MOTION FOR WITHDRAWAL OF COUNSEL FOR

MONICA AND MATTHEW DAWKINS

TO THE HONORABLE JUDGE HANEN, UNITED STATES DISTRICT JUDGE:

Movant Eric B. Dick, Attorney for Plaintiffs Monica and Matthew Dawkins files this Motion for Withdrawal of Counsel for Monica and Matthew Dawkins and in support hereof would show the following:

- Monica and Matthew Dawkins (Plaintiffs) commenced this lawsuit against Allstate Vehicle
 & Property Insurance Company on January 18, 2024 by filing their Plaintiff's Original
 Petition in District court of Harris County, Texas (Cause No. 2024-03278). The case was removed to this court on February 23, 2024 (Dkt. No. 1).
- 2. The Defendant served the first set of discovery requests on September 12, 2024. Counsel dutifully informed the Plaintiffs regarding the discovery request via email on September 13, 2024. The Plaintiffs failed to respond.
- 3. Counsel has made extensive and diligent efforts to obtain Plaintiffs' cooperation in this matter. Between September 13, 2024 and October 25 2024, counsel sent weekly emails to

Plaintiffs' provided email address detailing the outstanding discovery obligations and emphasizing the time-sensitive nature of these requests. Counsel followed up with multiple phone calls and text messages. Each communication clearly emphasized the critical importance of Plaintiffs' cooperation and the possible adverse consequences of continued non-responsiveness.

- 4. Due to Plaintiffs' unresponsiveness, counsel was compelled to request an extension of time to respond to Defendant's discovery requests on October 03, 2024, which Defendant's counsel graciously granted. Despite the extended deadline, Plaintiffs have failed to provide the necessary information and documentation required to respond to the discovery requests. This lack of cooperation has made it impossible for counsel to fulfill their professional obligations and effectively represent Plaintiffs in this matter.
- 5. Eric Dick requests that it be allowed to withdraw as counsel of record for Monica and Matthew Dawkins due to their failure to participate in the proceedings necessary to provide the relief that is sought through these proceedings. Due to their uncooperative conduct, counsel has unable to effectively represent them and effectively litigate their claims.
- 6. Eric Dick made diligent efforts to contact Mr. And Ms. Dawkins by telephone, email, and text messages concerning the need to respond to the discovery requests. Eric Dick has been unable to speak with Mr. And Ms. Dawkins or get substantive responses to the requested withdrawal. To date, Mr. And Ms. Dawkins have not responded to any form of communication.

Therefore, Eric Dick and the Dick Law Firm respectfully request that this Court enter an

order allowing for the withdrawal as counsel of record for Monica and Matthew Dawkins in this

case.

Dated: November 08, 2024.

Respectfully submitted,

/s/ Eric Dick

Eric B. Dick, LL.M.

TBN: 24064316

FIN: 1082959

DICK LAW FIRM, PLLC

3701 Brookwoods Dr.

Houston, TX 77092-8317

(844) 447-3234 Office

eric@dicklawfirm.com

ATTORNEY FOR PLAINTIFFS MONICA AND MATTHEW

DAWKINS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served

concurrently with the filing of the same via the Court's CM/ECF noticing system upon (a) all

persons who have filed ECF appearances in this case, including counsel for Defendant and (b) by

email, first class mail postage prepaid, and certified mail, return receipt requested, on Monica

and Matthew Dawkins at the following addresses:

Monica Dawkins

Matthew Dawkins

rochellboutique6914@yahoo.com

mdawkins05@gmail.com

+1 (713) 924-8459

4430 Kulkarni Street

Houston, TX 4430 Kulkarni St

United States

/s/Eric Dick

Eric Dick